

Indian Gaming Regulatory Act, and asserted it “clearly requires that any such action by the Secretary be taken only after consultation with ‘officials of other nearby Indian tribes’ so that the economic interests of those tribes, which might be impacted by such action, can be protected.”³⁵ The resolution, as adopted, claimed that “no consultation has been held in this situation and several of the Minnesota Indian Gaming Association tribes will be impacted by this action,” and asserted that MIGA “has gone on record opposed to any expansion of gaming activity, if that expansion is off reservation.” The resolution concluded by requesting “the intervention of the Secretary of Interior, the Governor of the State of Minnesota, and the Governor of the State of Wisconsin to stop all such action from occurring.” On Oct. 21, 1992, MIGA enclosed the resolution in a letter to then-Interior Secretary Manuel Lujan expressing MIGA’s formal opposition to the St. Croix proposal.

Within the next two weeks, both the Prairie Island and the Shakopee Mdewakanton Sioux also passed resolutions opposing the St. Croix’s efforts to place the Hudson land in trust for gaming.³⁶ The two resolutions were essentially carbon copies of the one passed by MIGA earlier that same month, although the Shakopee made the additional assertion that the geographical area

³⁵MIGA Resolution No. 3-92. Ducheneaux, who served for 18 years as counsel to the U.S. House of Representatives subcommittee concerning Indian affairs, was one of the principal drafters of Section 20, and it was he who insisted during the drafting process that the law include a provision requiring consultation with “nearby tribes.” Grand Jury Testimony of Franklin Ducheneaux, May 5, 1999, at 9-12 (hereinafter “Ducheneaux G.J. Test.”).

³⁶BlueDog played a leading role in drafting these resolutions as well, as he was General Counsel to both tribes at the time.